

AMENDMENT

U.S. Appln. No. 09/842,637

Claim 3. (Thrice Amended) The method as claimed in Claim 9, wherein in step (b) said concentration of said at least one antibiotic is 25 to 150 µg/ml and said stationary phase culture contain 10^5 to 10^9 bacteria/ml.

Claim 4. (Thrice Amended) The method as claimed in Claim 9, wherein said bacteria strain is selected from the group consisting of *Staphylococcus aureus*, *Escherichia coli*, *Haemophilus influenzae*, *Streptococcus pyogenes*, *Streptococcus gordonii* and *Mycobacterium tuberculosis*.

Claim 5. (Thrice Amended) The method as claimed in Claim 9, wherein said bacteria strain is *Mycobacterium tuberculosis* and said antibiotic in step (b) is rifampicin.

D' Claim 6. (Thrice Amended) The method as claimed in Claim 9, wherein said bacteria strain is *Escherichia coli* and said antibiotic in step (b) is kanamycin.

Claim 7. (Thrice Amended) The method as claimed in Claim 9, wherein said bacteria strain is *Staphylococcus aureus* and said antibiotic in step (b) is ampicillin.

Claim 9. (Thrice Amended) A method for identifying whether a test compound has any antibacterial activity against stationary phase bacteria comprising the steps of:

D² (i) preparing a phenotypically antibiotic-resistant subpopulation of stationary phase bacteria according to the method comprising at least the steps of:

(a) growing an antibiotic-sensitive bacterial strain to stationary phase to obtain a stationary phase culture; and

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(b) treating the resulting stationary phase culture with at least one antibiotic at a concentration and for a time sufficient to kill growing bacteria of said strain, and selecting a phenotypically antibiotic-resistant subpopulation;

(ii) incubating a sample of said phenotypically antibiotic resistant subpopulation with said test compound or a composition comprising said test compound; and

(iii) assaying whether said test compound or composition exhibits any antibacterial activity against said phenotypically antibiotic-resistant subpopulation so as to identify whether said test compound test compound or composition has any antibacterial activity against said stationary phase bacteria; and optionally

(iv) isolating said test compound from said composition.

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Claim 10. (Twice Amended) The method according to Claim 9, further comprising the step of amplifying said test compound.
